REMARKS

This is a response to the Office Action mailed July 26, 2004. By this Response, Applicant has amended claims 1, 4, 7 and 15. Claims 1, 4, 6-7, 9-11, 13-16 and 18-22 remain pending in the application, with claims 1, 7 and 15 being independent claims. Reconsideration and continued examination in light of the above amendments and following remarks is courteously requested. Although no fee is believed to be required by this response, please consider this as a petition for any extension of time and/or as authorization to debit Deposit Account No. 50-2091 for any fees as may be required to consider this Response and/or to prevent abandonment of this application.

Applicant has amended claim 4 to address the claim dependency oversight pointed out by the Examiner. Reconsideration of the Section 112 rejection of claim 4 is therefore requested.

The Office Action rejected all of the claims under Section 103, citing the combination of U.S. Patent No. 6,053,736 ("Huffman"), U.S. Patent No. 6,170,014B1 ("Darago"), U.S. Patent No. 6,478,581 ("Lin") and a publication entitled "Web-Based Simulation Visualization using Java3D" ("Salisbury"). Applicant respectfully traverses the rejections in that (1) even the combination of the four references would fail to disclose the claimed invention; and (2) there is no adequate suggestion/motivation for combining the four references. Reconsideration is requested.

This is the fourth response that has been submitted by Applicant. In the prior responses, Applicant has continually emphasized that none of the references cited by the Office describe either (1) a gateway that authenticates remote users and that establishes a connection between a client portion and a server portion of a flight simulation program; or (2) a server application that is based upon software used in an actual aircraft components. As a preliminary matter, the Office Actions have never responded to Applicant's assertions, but rather have simply stated that Applicant's arguments are "moot in view of the new grounds of rejection". As a result, the latest Office Action cites a combination of four references against Applicant's claims, but does not address the statements made in the earlier Responses. Applicant therefore continues to assert that at least these aspects of the claims are not met by the cited art for the reasons set forth in the prior Responses. Applicant will expand upon each of the arguments previously presented upon appeal, if necessary, but will not further belabor the points at this time.

6

By this response, Applicant has amended each of the independent claims to clearly recite that the server portion of the simulation program comprises actual code used in an actual aircraft component such as a flight management system, and is executed by a simulator card residing in a general purpose host computer. Each of the independent claims have been further amended to clarify that the client portion of the simulation program provides interface updates within a general purpose browser application (e.g. Internet Explorer, Netscape Navigator or the like). Applicant has further amended independent claims 1 and 7 to clarify that the "digital network" previously recited is a public digital network. Applicant has therefore further clarified that the claims relate not only to providing access to the server programs based upon the very specialized software used in actual aircraft components, but also to providing this access in a general-purpose computing environment. None of the cited references, taken alone or in any combination, can disclose at least these aspects of Applicant's claims.

The Office Action cites Huffman as the primary reference, stating that this reference discloses the broad aspects of Applicant's claims, including the gateway. As explained in Applicant's prior responses, the Huffman reference describes an AWACS simulator that does not interact with a network (particularly a public network) in any way. To the contrary, the Huffman reference simply describes a specialized simulation platform built upon very specialized hardware executing software that is not based upon code used in an actual aircraft. Once again, Applicant emphasizes that this reference does not include a gateway as expressly described in each of the present claims. While the Office Action does allege that a "gateway" is described at col. 4, lines lines 49-55 of Huffman, it is apparent that this text simply describes interconnecting multiple simulators with each other via a local area network (LAN) for a multi-simulator exercise. These six lines of text contain no discussion of the various gateway functions described in Applicant's claims (e.g. authentication, establishing connections between separate client and server portions, etc). Applicant expressly noted this shortcoming of Huffman in a prior Response, but the Examiner has not addressed this assertion.

The Office Action continues to cite the Lin reference as providing the "code derived from an actual aircraft component" aspect of Applicant's claims. Applicant has previously noted that Lin simply describes a cabling scheme that allows an actual aircraft component to be physically wired into a simulation device. Lin does not disclose, however, an environment whereby a server program comprising software code used in an actual aircraft component executes on a

7

processing card that resides within a general-purpose computer, as recited in each of the independent claims. This aspect is not a simple matter of design; indeed, it is the ability to grant access to highly-specialized software code using a general-purpose computing environment that has provided significant benefits to Applicant.

As a result, even if the Lin wiring harness were incorporated into the Huffman simulator, the resulting system would not include either a gateway having the various aspects of Applicant's claims or a server application comprising code used in an actual aircraft component but residing upon a processing card within a general-purpose host computer. Since neither of the cited references contains these aspects of Applicant's claims, the combination of the two would similarly fail to disclose each and every element of Applicant's claims:

Further, the other cited reference (Durago and Salisbury) fail to disclose the elements that are missing from Huffman and Lin. The Office Action does not allege that either of these references contain the "actual software code" aspects of the claims. While Durago describes an architecture for sharing courseware in an educational network, it does not describe the gateway aspects referenced above, as described in Applicant's previous response. The Salisbury reference, which is simply described in the Office Action as describing "a browser", similarly fails to describe any of Applicant's other claim aspects in any meaningful way. As a result, even a combination of the four references fails to disclose each and every aspect of Applicant's claims.

Applicant further asserts that there is no adequate suggestion or motivation for the cited combination, as required by MPEP § 2142. Indeed, the mere fact that four separate references allegedly need to be combined to anticipate any of Applicant's claims implies strongly in favor of novelty and patentability. At the very least, there is no showing on the record of why a person skilled in the art would seek to combine the four cited references to arrive at Applicant's claims. Because Applicant believes the present claims are allowable for the reasons stated above, a detailed analysis of this argument is not presented here. Nevertheless, if this Application is not allowed, the Examiner is respectfully requested to point out the specific motivations for the various combinations and for the reasonable expectation of success if such a combination were attempted, as required by MPEP § 2142. Applicant reserves the right to further point out the lack of suggestion upon Appeal.
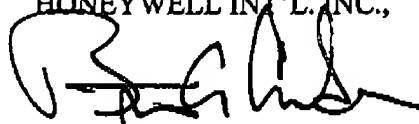
8

Conclusion

Even if the cited references were combined, they would still fail to anticipate each and every element of Applicant's claims, particularly a gateway having the various aspects recited in the claims and a server application comprising software used in an actual aircraft component but executing on a processor card residing on a general-purpose host computer. Based on the above, Applicant respectfully requests reconsideration of the rejections set forth in the Office Action and allowance of the present Application.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

Respectfully submitted on behalf of assignee HONEYWELL INT'L. INC.,

Dated October 26, 2004

Brett A. Carlson
Registration No. 39,928
(480) 385-5060

Ingrassia Fisher & Lorenz, P.C.
Customer No. 29906

9